

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Jeanine A. Sortisio,
Steven R. Sortisio,

Plaintiffs,

vs.

Peter Accetta, M.D., et al.

Defendants.

Hon. Hugh B. Scott

09CV176A

AFFIDAVIT

STATE OF NEW YORK)
)
) ss:
COUNTY OF ERIE)

SHARON M. PORCELLIO, being duly sworn, deposes and says:

1. I am an attorney admitted to practice before all Courts of the State of New York and, inter alia, the United States District Court for the Western District of New York. I was admitted to practice in the United States District Court for the Western District of New York on May 9, 1983.

2. I am a member of the firm of Ward Norris Heller & Reidy LLP, local counsel in this action, with my office at 300 State, Rochester, New York 14614.

3. I submit this affidavit in support of the application of Mark C. Hegarty, Esq. to be admitted pro hac vice pursuant to Local Rule 83.1.

4. I reside at 8 Grand View Trail, Orchard Park, New York 14127, and maintain an office for the practice of law at 300 State, Rochester, New York 14614.

5. I have come to know Mr. Hegarty by working with him and his colleagues as co-counsel in cases since 2005 and as local counsel in this case and find him to be knowledgeable of the law, personable and fully capable of appearing pro hac vice before this Court. From my long-standing relationship with defendant Astellas Pharma US, Inc., I understand that Mr. Hegarty and his colleagues also have a long-standing attorney-client relationship with defendant Astellas Pharma US, Inc. I believe that relationship will facilitate the proceedings before this Court.

6. I believe Mr. Hegarty's moral character and his fitness to be admitted to practice in this Court are satisfactory in all respects, and I recommend his admission pro hac vice without hesitation.

s/Sharon M. Porcellio
Sharon M. Porcellio

Sworn to before me this
8th day of May, 2009.

s/Jayne L. Vos
Notary Public
State of New York, Monroe County
Commission Expires 06/01/2012